

**DECLARATION AND POWER OF ATTORNEY--ORIGINAL APPLICATION**

Atty.'s Docket No. 349-003

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name;

I believe I am the original, first and co inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "Method and Apparatus for Automated Simulation and Design of Corneal Refractive Procedures", the specification of which is attached hereto.

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

**Power of Attorney:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Kristofer E. Halvorson

Reg. No. 39,211

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Hall

Gary

W.

FULL NAME  
OF INVENTOR

FAMILY NAME

FIRST GIVEN  
NAME

MIDDLE  
INITIAL

RESIDENCE

CITY

STATE OR  
PROVINCE

COUNTRY OF  
CITIZENSHIP

POST OFFICE  
ADDRESS

CITY

STATE, ZIP CODE  
& COUNTRY

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR

12-1-00  
DATE

# In the United States Patent and Trademark Office

In re Application of: Hall et al.  
Filed: Simultaneously Herewith  
Serial No.:  
For: Method and Apparatus for Automated Simulation and Design of Corneal Refractive Procedures  
Atty. Docket No.: 349-003

## Small Entity Declaration – Independent Inventor(s)

As a below-named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35 United States Code, to the Patent and Trademark Office with regard to my above-identified invention described in the specification filed herewith. I have not assigned, granted, conveyed, or licensed – and am under no obligation under any contract or law to assign, grant, convey, or license – any rights in the invention to either (a) any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or (b) any concern which would not qualify as either (i) a small business concern under 37 CFR 1.9(d) or (ii) a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed – or am under an obligation under contract or law to assign, grant, convey, or license – any rights in the invention is listed below:

- There is no such person, concern, or organization.  
 Any applicable person, concern, or organization is listed below:

Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

I acknowledge a duty to file, in the above application for patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

  
Signature of Inventor

Dr. Gary W. Hall, M.D.  
Printed Name of Inventor

12-1-00  
Date of Signature